

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED FIRE & CASUALTY  
COMPANY,

Plaintiff/Counterclaim  
Defendant,

vs.

KINKAID CIVIL CONSTRUCTION  
LLC,

Defendants/  
Counterclaimant.

CV 17-103-BLG-TJC

**ORDER OF DISMISSAL  
WITH PREJUDICE ONLY  
AS TO COUNTS II AND III  
OF THE COUNTERCLAIM  
AND CERTAIN CLAIMS  
WITHIN COUNT I OF THE  
COUNTERCLAIM**

Pursuant to the parties' unopposed motion to dismiss certain claims and counts with prejudice (Doc. 86), and good cause appearing,

IT IS HEREBY ORDERED that Counts II and III of Kinkaid Civil Construction, LLC's Counterclaim are dismissed with prejudice, with each party to bear its own attorneys' fees and costs.

DATED this 16th day of August, 2019.

  
TIMOTHY J. CAVAN  
United States Magistrate Judge